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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,063	06/20/2001	Masami Kato	35.C15466	1691
5514	7590	11/19/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			PATEL, HARESH N	
		ART UNIT	PAPER NUMBER	
		2154		

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/884,063	KATO ET AL.
	Examiner	Art Unit
	Haresh Patel	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 June 2001.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) 9-13 and 17 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 and 14-16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) 9-13 and 17 are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 June 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/24/01.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Detailed Action

1. Claims 1-17 are presented for examination.

Priority

2. Applicant's claims for foreign priority under 35 U.S.C. 119(a)-(d) or (f), is acknowledged. Applicant is requested to submit the translated copy in English to perfect the foreign priority.

Specification

3. The disclosure is objected. Some of the informalities are:

The section "CROSS-REFERENCE TO RELATED APPLICATIONS" is missing claimed priority application, co-pending applications and related arts.

Drawings

4. Figure 18 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the

changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claim 1 is objected to because of the following informalities:

Claim 1 mentions “such plural terminal apparatuses”, which is incorrect. For examining purposes, the examiner considers it as “the terminal apparatuses”.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by

Sakakibara et al. U.S. 2002/0161590 A1, Oct. 31, 2002 (hereinafter Sakakibara).

As per claim 1 and 14, Sakakibara teaches the following:

An image distribution system in a virtual space system composed of terminal apparatuses respective provided at plural users (e.g., figures 1, 7, 13, 21) and a server apparatus connected to such plural terminal apparatuses through a communication

channel for constructing a virtual space for distributing an image among the terminal apparatuses (e.g. figure 1, 7, 13, 21), wherein each of the terminal apparatuses comprises:

Image obtaining means for obtaining an image of the user (e.g. figure 4);

Transmission means for transmitting the image (e.g. figure 9), obtained by said image obtaining means, to said server apparatus (e.g. figure 4),

Reception display means for receiving and displaying the image transmitted from said server apparatus (e.g. figure 13);

Designating/recognizing means for designating/recognizing the position of said virtual space (e.g. figure 7); and

Control means for controlling said image obtaining the user in means according to the position of the user in said virtual space (e.g. figure 2).

As per claim 2, Sakakibara discloses the following:

Image compression means for compressing the image data (e.g. paragraph 79);

and

Wherein said control means controls the compression parameter of said compression means according to said user position in said virtual space (e.g. paragraph 79).

As per claim 3, Sakakibara discloses the following:

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Image compression means for compressing the image data (e.g. paragraph 79); and wherein said control means controls the compression parameter of said compression means according to said user position in said virtual space (e.g. paragraph 79).

As per claim 4, Sakakibara discloses the following:

Said image obtaining means includes size conversion means for converting the size of the obtained image (e.g. paragraph 125) and cut-out means for cutting out a predetermined area from the obtained image (e.g. paragraphs 28, 81); and wherein said control means selects the output of said size conversion means or said cut-out means according to said user position in said virtual space (e.g., paragraphs 28, 81, 100, 125, 129, 143).

As per claim 5, Sakakibara discloses the following:

Said image obtaining means image pickup means for converting includes plural an optical image into an electrical signal (e.g. paragraphs 28, 81, 100, 125, 129, 143); and said control means selects one of the outputs of said plural image pickup means according to said user position in said virtual space (e.g. paragraphs 28, 81, 100, 125, 129, 143).

As per claim 6, Sakakibara discloses the following:

System in a virtual space system composed of terminal apparatuses respective provided at plural users (e.g. figures 1, 7, 13, 21) and a server apparatus connected to

such plural terminal apparatuses through a communication channel for constructing a virtual space for distributing an image among the terminal apparatuses (e.g. figures 1, 7, 13, 21), wherein each of the terminal apparatuses comprises:

Image obtaining means for obtaining an image of the user (e.g. figure 4);

Transmission means for transmitting the image (e.g. figure 9), obtained by said image obtaining means, to said server apparatus (e.g. figure 4),

Reception display means for receiving and displaying the image apparatus and transmitted from said server designation means for designating the position of the user in said virtual space (e.g. figure 13); and

Said server apparatus comprises image process means for processing the image transmitted from each of said terminal apparatuses and distributing the image (e.g. figures 1, 7, 13, 21),

Distribution means for an image distribution processed by said image process means to each of said terminal apparatuses (e.g. figures 1, 7, 13, 21); and

Control means for controlling said image process means according to the position of the user in said virtual space (e.g. figure 2).

As per claims 7, 15, Sakakibara discloses the following:

Said image process means includes recompression means for recompressing image data (e.g. paragraph 79); and wherein said control means controls the compression parameter at the recompression according to the user position in said virtual space (e.g. paragraphs 28, 81, 100, 125, 129, 143).

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As per claims 8, 16, Sakakibara discloses the following:

Said image obtaining means includes size conversion means for converting the size of the image and cut-out means for cutting out a predetermined area from the image (e.g. paragraph 79); and said control means selects the output of said size conversion means or said cut-out means according to said user position in said virtual space (e.g. paragraphs 28, 81, 100, 125, 129, 143).

As per claims 9-13 and 17, they are rejected for similar reasons as stated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

Haresh Patel



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

November 2, 2004.